

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

v.

**No. CV 12-0927 JC/LAM
CR 03-0231 JC**

**FITZ ERROL MARTIN, a/k/a
JACOB BRUNNER, a/k/a
DAVID A. MARTIN, a/k/a
FITZ ERROL HENRY,**

Defendant/Movant.

ORDER

THIS MATTER is before the Court, *sua sponte* under Rule 4(b) of the Rules Governing Section 2255 Cases, for review of a letter-motion (*CV Doc. 1; CR Doc. 22*) filed on August 24, 2012. The Court construes the document, which is signed with the name of one of Defendant's numerous aliases, as Defendant's motion to vacate, set aside, or correct sentence, or, alternatively, as a petition for writ of error *coram nobis* (the "motion"). The Court will direct the United States to answer Defendant's motion.

IT IS THEREFORE ORDERED that the Clerk is directed to forward to the United States Attorney a copy of Defendant's motion (*CV Doc. 1; CR Doc. 22*) and supporting papers and exhibits, if any, together with a copy of this Order;

IT IS FURTHER ORDERED that the United States answer Defendant/Movant's motion (*CV Doc. 1; CR Doc. 22*) **within twenty-three days of entry of this order.**

IT IS SO ORDERED.

Lourdes A. Martinez
LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE